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16
17 **UNITED STATES DISTRICT COURT**
18
19 **NORTHERN DISTRICT OF CALIFORNIA**
20
21 **SAN FRANCISCO DIVISION**

22 EXponential INTERACTIVE, INC.,

23 Case No. CV 09-002649 JCS

24 *Plaintiff,*

25 v.

26 LIVEMERCIAL, INC., and DOES 1 through
10, inclusive,

27 **STIPULATION AND PROPOSED
28 ORDER TO SET ASIDE THE DEFAULT
29 OF LIVEMERCIAL, INC.**

30 **[FRCP 55(c); L.R. 77-2(b)]**

31 *Defendants.*

32 The parties, Exponential Interactive, Inc. and Livemercial, Inc., by and through their
33 respective counsel, hereby stipulate as follows, subject to the Court's approval:

34 1. On August 18, 2009, the Clerk of the Court entered a default against Livemercial,
35 Inc. upon the motion of the plaintiff.

36 2. The default entered against Livemercial, Inc. shall be set aside and vacated.

3. Livemercial, Inc. shall be granted an extension of time to appear and respond to the Complaint filed by Exponential Interactive, Inc., up to and including August 19, 2009.

IT IS SO STIPULATED.

Dated: August 19, 2009

STAHL COWEN CROWLEY ADDIS, LLC

By: /s/ Jereby P. Kreger
Jeremy P. Kreger
Attorneys for Livemercial, Inc.

Dated: August 19, 2009

By: /s/ Lee Hagelshaw
Lee Hagelshaw
Attorney for Exponential Interactive, Inc.

[PROPOSED] ORDER

Having reviewed the parties' Stipulation and Proposed Order to Set Aside the Default of Livemercial, Inc., and good cause appearing,

IT IS HEREBY ORDERED:

1. The default entered against Livemercial, Inc. is set aside.
2. Livemercial, Inc. is granted an extension of time to appear and respond to the

IT IS SO ORDERED.

Dated: August 20, 2009

